

TELEPHONE
(916) 485-5700

Jeffory J. Scharff, Esq.
SIERRA OAKS FINANCIAL CENTER
2625 FAIR OAKS BLVD, SUITE 7
SACRAMENTO, CALIFORNIA 95864
jsesq@scharff.us

FACSIMILE
(916) 485-5912

November 17, 2011

Via Email only

Todd A. Del Frate, P.G.
Engineering Geologist
Compliance and Enforcement Section
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

Re: Sylvia Dellar Survivor's Trust, Former City of Sacramento Landfill
Closure and Post Closure Maintenance Plan Status Report Update

Dear Mr. Del Frate:

I am writing with a brief update and status report on behalf of the Dellar Trust in response to your inquiry of November 8, 2011.

As you know, the Trust circulated the Water Board approved plan along with a request for proposal and a contractor, Western Engineering was selected. However, an impasse was reached with regard to the contract terms.

The Trustee, out of concern with the two-month effort to reach an agreement took matters into his own hands and contacted Doug Veerkamp General Engineering. He was, over a two-day period, able to reach an agreement.

Last week at the Trustee's direction a meeting was held to discuss pre-construction issues with Veerkamp and Kleinfelder. We are presently awaiting a proposed construction schedule and plan to provide you with a copy early next week.

Sincerely,

/s/

Jeffory J. Scharff

JJS:kct

cc: Douglas M. Daggs, Trustee
Wendy Wyles
David Boyers, Esq.
Jerry Hicks, Esq.
Robert Bletcher, Esq.
Marty Strauss



October 21, 2011
File No.: 116081-2

Mr. Todd Del Frate
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

**Re: Interim Construction Quality Assurance Report
Dellar Trust Property Closure**

Dear Mr. Del Frate:

Under the current schedule, the Dellar Trust was to submit an interim construction quality assurance (CQA) report for closure construction activities completed during the fall of 2011, on October 21, 2011. As you are aware, Western Engineering has been selected as the contractor for this project. Due to contracting complexities, construction work has yet to start. Permits from the City of Sacramento have been obtained for the fall construction work and the Dellar Trust still intends to complete some elements of the closure construction this fall, weather permitting. Once the contract is executed, the Dellar Trust will provide an updated schedule for fall construction work, including a new submission date for the interim CQA report.

Sincerely,

KLEINFELDER

Timothy Crandall, P.E.
Principal Engineer

cc: Jeffory Scharff

TELEPHONE
(916) 485-5700

Jeffory J. Scharff, Esq
SIERRA OAKS FINANCIAL CENTER
2625 FAIR OAKS BLVD, SUITE 7
SACRAMENTO, CALIFORNIA 95864
jjsesq@scharff.us

FACSIMILE
(916) 485-5912

October 11, 2011

Via email only

Todd A. Del Frate, P.G.
Engineering Geologist
Compliance and Enforcement Section
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

Re: Sylvia Dellar Survivor's Trust
Former City of Sacramento Landfill
Closure and Postclosure Maintenance Plan
Status Report Update

Dear Mr. Del Frate:

I am writing with a brief update and status report on behalf of the Dellar Trust.

As you know, the Trust circulated the Water Board approved plan for competitive bid and a contractor, Western Engineering was selected. The parties have been working through contract terms and are close to an executable agreement.

However, during the pendency of the bid process we have learned that the City of Sacramento's grant application to Cal Recycle was awarded. As a result the Trust is now working with the City to insure eligibility for utilization of the grant funds for the work to be done in accordance with the approved plan.

Obviously, we are pleased to have the ability to make use of the Cal Recycle grant funds. Mr. Wes Mindermann of Cal Recycle, who as you may recall attended one of our meetings, again stated last week that they consider the City's application of the highest priority.

Also while all of these other matters are sorted out, we held a lengthy pre-construction meeting with Western, one of their sub-contractors along with the Trust's consulting radio engineer and representatives of Immaculate Heart Radio to pre-plan the transmission equipment relocation. It remains our intent to complete that portion of the project this fall.

In addition, Kleinfelder is also working closely with the City Building Department regarding the review of the plans and issuance of the necessary grading permits for the construction of the discharge pipe line. There are ongoing discussions with regard to the tie-in to the City's storm

Todd Del Frate
October 11, 2011
Page 2

drain system and potential use of the SCADA network for its operation when the grading and construction is complete.

We will continue to update you as to the status and progress.

Sincerely,

Jeffory J. Scharff

JJS:

cc: Douglas M. Daggs, Trustee
Wendy Wyles
David Boyers, Esq.
Jerry Hicks, Esq.
Robert Bletcher, Esq.
Marty Strauss